

## Message Text

LIMITED OFFICIAL USE POSS DUPE

PAGE 01 ADDIS 03287 01 OF 02 171500Z

54

ACTION DHA-02

INFO OCT-01 SS-14 ISO-00 AF-04 SP-02 L-01 IO-03 IGA-01

PRS-01 INR-05 CIAE-00 NSC-05 SCCT-01 /040 W

----- 048230

R 171250Z MAR 76

FM AMEMBASSY ADDIS ABABA

TO SECSTATE WASHDC 8571

INFO AMCONSUL ASMARA

AMEMBASSY KHARTOUM

AMEMBASSY MOGADISCIO

AMEMBASSY NAIROBI

LIMITED OFFICIAL USE SECTION 1 OF 2 ADDIS ABABA 3287

LIMDIS

E.O. 11652: N/A

TAGS: SHUM, PFOR, PINS, PINT, PORO, EAID, EFIN, ET

SUBJECT: HUMAN RIGHTS: 1976 REPORTING REQUIREMENT FOR ETHIOPIA

REFS: A) A-1045, JANUARY 14, 1975; B) STATE 003725;

C) ADDIS ABABA 1200; D) STATE 045319

SUMMARY AND CONCLUSION CAUGHT UP IN A POLITICAL, SOCIAL, AND ECONOMIC REVOLUTION, THE EPMG CONTINUES TO VIOLATE INTERNATIONALLY RECOGNIZED HUMAN RIGHTS STANDARDS (USING THE CRITERIA OF THE UNITED STATES AND THE UNIVERSAL DECLARATION OF HUMAN RIGHTS), ESPECIALLY AS THESE APPLY TO THE ETHIOPIAN ARISTOCRACY AND SOME ELEMENTS OF THE MIDDLE CLASS. NORMALLY ACCEPTED CONSTITUTIONAL SAFEGUARDS FOR INDIVIDUAL LIBERTIES ARE CURRENTLY MISSING IN ETHIOPIA. THE ERITREAN CIVIL WAR IS LARGELY CONDUCTED BY BOTH SIDES WITHOUT REGARD FOR THE NICETIES OF INTERNATIONAL LAW. ETHIOPIA, HOWEVER, IS IN A REVOLUTIONARY SITUATION CREATED BY INEQUITIES COUNTENANCED AND INDEED FOSTERED BY THE OLD ORDER. ITS LEADERS HAVE REPEATEDLY STATED THAT THE REVOLUTION'S PURPOSE IS TO IMPROVE THE ECONOMIC, SOCIAL AND POLITICAL WELL-BEING OF THE

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 ADDIS 03287 01 OF 02 171500Z

VAST MAJORITY OF THE ETHIOPIAN PEOPLE AND WHATEVER THE EPMG'S FAILINGS, WE BELIEVE THAT THIS INTENTION IS HONESTLY

HELD. MOREOVER, EPMG POLICIES SUCH AS LAND REFORM HAVE RELEASED MANY ETHIOPIAN PEASANTS FROM A FORM OF ECONOMIC, SOCIAL AND POLITICAL BONDAGE THAT CAN ONLY BE COMPARED WITH MEDIEVAL EUROPE OR 18TH CENTURY RUSSIA. THESE CONSIDERATIONS MUST BE KEPT IN MIND WHEN EVALUATING ETHIOPIA'S HUMAN RIGHTS RECORD IF A BALANCED JUDGEMENT IS TO BE ACHIEVED. EMBASSY THINKS THAT U.S. AID PROGRAMS DO NOW AND WILL CONTINUE TO CONTRIBUTE TO THE WELL-BEING OF THE ETHIOPIAN PEOPLE, EVEN IN CURRENT CIRCUMSTANCES. EMBASSY ALSO CONSIDERS THAT A U.S. THREAT TO REDUCE OR CUT OFF ASSISTANCE TO ETHIOPIA WOULD NOT ACHIEVE THE DESIRED GOAL, I.E., GREATER OBSERVANCE OF HUMAN RIGHTS. ON THE CONTRARY, SUCH A THREAT WOULD PROBABLY RESULT IN DECREASING WHAT INFLUENCE THE UNITED STATES HAS WITH THE EPMG ON THIS AND OTHER IMPORTANT INTERNATIONAL AND BILATERAL ISSUES, AND MIGHT INDEED EXACERBATE THE EXCESSES--SOME OF WHICH ARE BEYOND THE CONTROL OF THE ADDIS GOVERNMENT--WHICH THE REVOLUTIONARY SITUATION HAS BROUGHT. END SUMMARY AND CONSLUSION.

1. IMPORTANT ORDINARY LEGAL GUARANTEES. ETHIOPIA IS IN THE MIDST OF A CONTINUING REVOLUTIONARY SITUATION. ALTHOUGH CIVIL COURTS AND A LEGAL SYSTEM EXIST, THERE IS LITTLE IN THE WAY OF NORMALLY ACCEPTED INSTITUTIONAL LEGAL GUARANTEES (AS DEFINED BY U.S. STANDARDS OR THOSE CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS). A STATE OF EMERGENCY WHICH HAD BEEN DECREED THROUGHOUT THE COUNTRY IN SEPTEMBER 1975 HAS BEEN ENDED, BUT A DE JURE STATE OF MARTIAL LAW EXISTS IN INSURGENT ERITREA. A DE FACTO ONE EXISTS ELSEWHERE IN ETHIOPIA. GIVEN THE DE FACTO ABROGATION OF THE ETHIOPIAN CONSTITUTION IN 1974, NO CONSTITUTIONAL PROVISIONS EXIST FOR THE CURRENT STATE. EPMG PROCLAMATIONS HAVE CONTAINED REFERENCES TO DUE PROCESS IN THEIR IMPLEMENTATION BUT OFTEN THE GOVERNMENT HAS LACKED THE ABILITY AND/OR WILL TO CARRY THESE OUT.

2. GOVERNMENT PRACTICE RE HUMAN RIGHTS: EMBASSY BELIEVES THAT THERE IS IN EFFECT A CONSISTENT PATTERN OF GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS BY THE EPMG PRIMARILY APPLIED TO THE CLASS TARGETS OF THE REVOLUTION:  
LIMITED OFFICIAL USE  
LIMITED OFFICIAL USE

PAGE 03 ADDIS 03287 01 OF 02 171500Z

THE ARISTOCRACY, AND OTHERS CLOSELY ASSOCIATED WITH THE OLD REGIME. THERE ARE SOME INDICATIONS THAT MEMBERS OF THE MIDDLE CLASS MAY BE INCREASINGLY SUBJECTED TO SIMILAR TREATMENT, ALTHOUGH THERE IS NOT YET SUFFICIENT EVIDENCE AVAILABLE TO FORM A BLANKET JUDGMENT IN THIS RESPECT. SUFFICE IT TO SAY THAT MANY MEMBERS OF THE MIDDLE CLASS WITHOUT CLOSE TIES TO THE OLD ORDER PERCEIVE THEMSELVES TO BE THREATENED. DETENTION WITHOUT CHARGES, CLOSED TRIALS (IF INDEED TRIALS WERE HELD BEFORE SENTENCING, IN SOME CASES), PROBABLE EXECUTIONS AFTER DRUM HEAD PROCEEDINGS, ETC., HAVE EXISTED SINCE THE

BEGINNING OF THE ETHIOPIAN REVOLUTION IN FEBRUARY 1974.  
CURRENT ESTIMATES OF THOSE HELD INCLUDING RECENT ARRESTS (OF ADDIS  
1931, 2006, AND 2158),  
RANGE FROM SEVERAL HUNDRED TO SEVERAL THOUSAND AND THE  
ARRESTS CONTINUE, ALTHOUGH MANY OF THESE DETAINEES ARE  
FAIRLY QUICKLY TURNED LOOSE AFTER INTERROGATIONS. SOME  
DETAINEES, ON THE OTHER HAND, HAVE BEEN HELD FOR OVER TWO  
YEARS WITHOUT KNOWN TRIAL OR SENTENCING. OTHERS HAVE BEEN  
TRIED, FOUND INNOCENT OF THE CHARGES AGAINST THEM--AND NOT  
RELEASED. THE APPARENT REASONS FOR THE MOST RECENT ARRESTS  
VARY. SOME OF THOSE DETAINED ARE PLOTTERS OR KNOWN OPPO-  
NENTS OF THE REGIME; MANY HAVE CLOSE ETHNIC TIES WITH RE-  
BELLIOUS OR TROUBLESOME AREAS OF THE COUNTRY (ERITREA,  
WOLLO, BEGEMDIR, TIGRE, GOJJAM); SOME ARE BUSINESSMEN AC-  
CUSED OF "ECONOMIC CRIMES," OTHERS ARE MIDDLE-CLASS  
BUREAUCRATS SUSPECTED OF BEING "BUREAUCRATIC CAPITALISTS,"  
I.E. GOVERNMENT EMPLOYEES SUSPECTED OF NOT GIVING WHOLE-  
HEARTED SUPPORT TO ETHIOPIAN SOCIALISM; SOME ARE RELATIVES  
OF OLD ORDER FIGURES. THE RECENT ARRESTS, HOWEVER, HAVE  
TENDED TO CENTER ON ETHNIC GROUPS, WIDOWS OF OLD ORDER  
FIGURES, RETIRED CIVIL SERVANTS, SOME WITH OUTSTANDING RE-  
CORDS OF SERVICE (TO THE OLD ORDER, HOWEVER), AND A FEW  
HIGHLY RESPECTED TECHNOCRATS.

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE POSS DUPE

PAGE 01 ADDIS 03287 02 OF 02 171435Z

54

ACTION DHA-02

INFO OCT-01 SS-14 ISO-00 AF-04 SP-02 L-01 IO-03 IGA-01

PRS-01 INR-05 CIAE-00 NSC-05 SCCT-01 /040 W

----- 047805

R 171250Z MAR 76

FM AMEMBASSY ADDIS ABABA

TO SECSTATE WASHDC 8572

INFO AMCONSUL ASMARA

AMEMBASSY KHARTOUM

AMEMBASSY MOGADISCIO

AMEMBASSY NAIROBI

LIMITED OFFICIAL USE SECTION 2 OF 2 ADDIS ABABA 3287

LIMDIS

3. CURRENTLY, THE EPMG IS VIOLATING THE FOLLOWING ARTICLES OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS: ART. 3 (ANYONE'S HOME, PERSON OR PROPERTY IS OPEN TO MILITARY AND POLICE SEARCH AND SEIZURE); ART. 8 (THERE IS CURRENTLY NO CONSTITUTION IN FORCE IN ETHIOPIA, EXCEPT WHERE TRADITIONAL SOCIAL RESTRAINTS AND POLICE PROFESSIONAL ETHICS REMAIN IN FORCE, NO APPARENT LEGAL RECOURSE FOR REMEDYING VIOLATIONS OF HUMAN RIGHTS IS PRACTICABLE); ART. 9 (ARRESTS AND DETENTIONS WHICH IN SOME CASES APPEARS TO BE ARBITRARY RUN INTO THE HUNDREDS OR THOUSANDS); ART. 10 (TRIBUNALS, WHEN HELD ARE USUALLY IN CAMERA AND, WE BELIEVE, ARE RARELY "INDEPENDENT AND IMPARTIAL"); ART. 13 (ETHIOPIANS AND OTHER NATIONALS MAY NOT LEAVE THE COUNTRY WITHOUT AN EXIT PERMIT, WHICH, FOR MANY, IN PRACTICE IS NOT POSSIBLE TO OBTAIN, IN SOME BUT NOT ALL CASES FOR JUSTIFIABLE REASONS, E.G., TAX DISPUTES, CURRENCY IRREGULARITIES, ETC. MANY EDUCATED ETHIOPIANS, WHETHER CLOSELY CONNECTED TO THE OLD ORDER OR NOT, FEEL THAT MERE APPLICATION FOR A VISA MIGHT PUT THEM IN JEOPARDY OF ARREST).

4. EXCEPT POSSIBLY IN ERITREA, THERE IS LITTLE OR NO EVIL LIMITED OFFICIAL USE  
LIMITED OFFICIAL USE

PAGE 02 ADDIS 03287 02 OF 02 171435Z

DENCE TO INDICATE THAT THE EPMG CONDONES OR ENCOURAGES ITS OFFICIALS TO VIOLATE HUMAN RIGHTS. ALTHOUGH OUR INFORMATION IS SCANTY, WE BELIEVE THAT THERE ARE FEW IF ANY ADMINISTRATIVE CONTROLS OR EFFECTIVE CRIMINAL SANCTIONS WHICH INHIBIT SUCH PRACTICES. IN ERITREA, A 13-YEAR CIVIL WAR HAS ESCALATED TO A MILITARY STALEMATE IN WHICH BOTH SIDES USE TERRORISM AND REPRISAL. EPMG SOLDIERS HAVE ENGAGED IN INDISCRIMINATE KILLING OF CIVILIANS IN ASMARA AND ELSEWHERE; EPMG AERIAL BOMBING AND STRAFING OF VILLAGES RESULT IN CIVILIAN DEATHS; IMPRISONMENT OF SUSPECTED ERITREAN SYMPATHIZERS WITHOUT TRIAL IS COMMON; AND THE EPMG USES CONTROLS OF FOOD GRAINS AS WEAPON AGAINST INSURGENTS. AT LEAST IN ONE CASE, HOWEVER, THE EPMG EXECUTED A GROUP OF ITS SOLDIERS FOR BARBAROUS BEHAVIOR TOWARD CIVILIANS.

5. THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) HAS VISITED ETHIOPIA SEVERAL TIMES SINCE THE ONSET OF THE REVOLUTION. SHORTLY AFTER THE NOVEMBER 1974 SUMMARY EXECUTIONS OF OLD ORDER FIGURES, ICRC REPRESENTATIVES WERE ALLOWED TO VISIT POLITICAL DETAINEES. ALTHOUGH THEY HAVE RETURNED TO ETHIOPIA SEVERAL TIMES SINCE THEN, NO ICRC REPRESENTATIVES HAVE BEEN ALLOWED TO INTERVIEW THESE PRISONERS. THEY HAVE BEEN ABLE TO TALK WITH COMMON CRIMINALS WHO LIVE UNDER THE EPMG AS UNDER THE IEG--IN MEDIEVAL CONDITIONS CONSIDERED ROUTINE IN ETHIOPIA. RECENTLY, HOWEVER, A THIRD COUNTRY MISSION WAS ALLOWED TO VISIT DETAINED MEM-

BERS OF THE ROYAL FAMILY. THIS WAS PROBABLY DUE TO THE FACT THAT THE CONTINUED DETENTION OF THE ROYAL FAMILY HAD CAUSED DOMESTIC POLITICAL PROBLEMS IN THE THIRD COUNTRY, A SIGNIFICANT AID DONOR HERE.

6. THE UNITED STATES BOTH THROUGH ITS EMBASSY IN ADDIS ABABA AND THROUGH THE DEPARTMENT IN WASHINGTON, HAS PERIODICALLY MADE THE EPMG AWARE OF ITS CONCERNS FOR HUMAN RIGHTS, RELEVANT US STATUTORY PROVISIONS AND THE POSSIBLE BILATERAL CONSEQUENCES IF HUMAN RIGHTS WERE VIOLATED. U.S. ECONOMIC AND MILITARY AID WAS "REVIEWED" AND NEW AID SUSPENDED AFTER THE NOVEMBER 1974 EXECUTIONS. NORMAL AID RELATIONSHIPS WERE RESUMED ONLY AFTER THE EPMG HAD GIVEN THE EMBASSY ASSURANCES THAT SUCH "POLITICAL" EXECUTIONS WOULD NOT REOCCUR. PERIODICALLY, SINCE THEN, THE AM-LIMITED OFFICIAL USE  
LIMITED OFFICIAL USE

PAGE 03 ADDIS 03287 02 OF 02 171435Z

BASSADOR AND OTHER MEMBERS OF THIS EMBASSY EMBASSY HAVE REITERATED U.S. HUMAN RIGHTS CONCERNS,--EXPLICITLY INCLUDING THOSE RELATING TO ERITREAN WAR EXCESSES--TO RANKING MEMBERS OF THE EPMG, UP TO AND INCLUDING THE PMAC CHAIRMAN, BG TEFERRI BANTE.

7. ASIDE FROM ACTIONS PARA 6 ABOVE, U.S. SECURITY ASSISTANCE HAS NOT OTHERWISE BEEN EXPLICITLY DISSOCIATED FROM THE VIOLATIONS DESCRIBED.  
HUMMEL

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** HUMAN RIGHTS, LAW, REPORTS, COUNTRY INFORMATION PROGRAMS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 MAR 1976  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** coburnhl  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976ADDIS03287  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760100-1045  
**From:** ADDIS ABABA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760354/aaaabuxe.tel  
**Line Count:** 253  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION DHA  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** LIMDIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 5  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** LIMDIS  
**Reference:** 76 STATE 3725  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** coburnhl  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 23 JUN 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <23 JUN 2004 by MartinML>; APPROVED <06 OCT 2004 by coburnhl>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** HUMAN RIGHTS: 1976 REPORTING REQUIREMENT FOR ETHIOPIA  
**TAGS:** SHUM, PFOR, PINS, PINT, PORO, EAID, EFIN, SOCI, ET  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006